

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER GRANTING THE ONE HUNDRED EIGHTY-EIGHTH OMNIBUS OBJECTION
(NON-SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO AND THE EMPLOYEES
RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF
PUERTO RICO TO CLAIMS ASSERTED AGAINST THE INCORRECT DEBTOR

Upon the *One Hundred Eighty-Eighth Omnibus Objection (Non-Substantive) of
the Commonwealth of Puerto Rico and the Employees Retirement System of the Government of
the Commonwealth of Puerto Rico to Claims Asserted Against the Incorrect Debtor* (Docket
Entry No. 12854, the “One Hundred Eighty-Eighth Omnibus Objection”),² filed by the

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (“Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms used but not otherwise defined herein have the meanings given to them in the Notice.

Commonwealth of Puerto Rico (the “Commonwealth”) and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS,” and together with the Commonwealth, the “Debtors”), dated April 17, 2020, for entry of an order reclassifying certain claims filed against the Debtors, as more fully set forth in the One Hundred Eighty-Eighth Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the One Hundred Eighty-Eighth Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the One Hundred Eighty-Eighth Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and upon the *Notice of Presentment of Proposed Order (A) Granting in Part the One Hundred Eighty-Eighth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Claims Asserted Against the Incorrect Debtor, (B) Approving Form of Notice for Claims to be Set for Hearing, and (C) Granting Related Relief*, dated October 23, 2020 (Docket Entry No. 14832, the “Notice”), for entry of an order reclassifying the Claims to Be Modified via Notice of Presentment and the Claims with Undeliverable Addresses (as defined below), as more fully set forth in the Notice; and the Court having determined that the relief sought in the One Hundred Eighty-Eighth Omnibus Objection is in the best interests of the Debtors, their creditors, and all parties in interest; and the Court having determined that the legal and factual bases set forth in the One Hundred Eighty-Eighth Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby:

ORDERED that the One Hundred Eighty-Eighth Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that the claims identified in the column titled “Asserted” in Exhibit B hereto (the “Claims to Be Modified via Notice of Presentment”) and on Exhibit C hereto (the “Claims with Undeliverable Addresses”) are hereby reclassified to be claims asserted against PREPA, as indicated in the column titled “Corrected” in Exhibit B hereto and Exhibit C hereto; and it is further

ORDERED that the Debtors’ right to object to the Claims to Be Modified via Notice of Presentment and the Claims with Undeliverable Addresses is reserved; and it is further

ORDERED that Prime Clerk, LLC, is authorized and directed, in the official claims register in the PROMESA cases, to move the claims identified in the column titled “Asserted” in Exhibit B hereto and Exhibit C hereto from the Title III case for the debtor(s) identified in the column titled “Asserted” in Exhibit B hereto and Exhibit C hereto to the One Hundred Eighty-Eighth Omnibus Objection to PREPA’s Title III Case (Bankruptcy Case No 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and it is further

ORDERED that this Order resolves Docket Entry No. 12854 in Case No. 17-3283; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: March 25, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge